

**TIMOTHY P. JOHNSON (BAR NO. 66333)**  
**LAW OFFICES OF TIMOTHY P. JOHNSON**  
17821 E. 17<sup>TH</sup> STREET, SUITE 290  
TUSTIN, CALIFORNIA 92780  
TELEPHONE: (714) 832-1170  
FACSIMILE: (714) 832-1179  
E-MAIL: tjohnson@johnson-chambers.com

Attorneys for Defendant PINNACLE CREDIT SERVICES, LLC, erroneously sued and served as PINNACLE CREDIT SERVICES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT MICHAEL WILLIAMS,

Case No. C-07-5956 CRB

Plaintiff,

VS.

TRANSUNION, LLC, EXPERIAN INFORMATION SOLUTIONS, INC.;, EQUIFAX INFORMATION SERVICES, LLC, AMERICAN EXPRESS TRAVEL RELATED SERVICES, INC.; DISCOVER FINANCIAL SERVICES; PINNACLE CREDIT SERVICES, INC.; ASSET ACCEPTANCE, LLC; and NATIONAL CREDIT ADJUSTERS, LLC.

**NOTICE OF MOTION AND MOTION TO  
COMPEL FURTHER RESPONSES BY  
PLAINTIFF TO DISCOVERY  
PROPOUNDED BY PINNACLE;  
DECLARATION OF TIMOTHY P.  
JOHNSON; SEPARATE STATEMENT  
REGARDING DISPUTED DISCOVERY  
RESPONSES**

**Date: October 24, 2008**

Time: 10:00 a.m.

Courtroom: 8, 19<sup>th</sup> Floor

### Defendants.

**TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on OCTOBER 24, 2008, at 10:00 a.m., or as soon thereafter as this matter may be heard in Courtroom 8, 19<sup>th</sup> Floor, of the above-entitled court, located at 450 Golden Gate Ave, San Francisco, California 94102, Defendant PINNACLE CREDIT SERVICES, LLC will move the court for an order compelling further answers to the Interrogatories and Request for Production of Documents served on Plaintiff ROBERT MICHAEL WILLIAMS on June 6, 2008.

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This motion is made pursuant to the *Federal Rules of Civil Procedure*, Rule 37, on the grounds that plaintiff ROBERT MICHAEL WILLIAMS has failed to serve legally sufficient answers to the Interrogatories and Request for Production of Documents.

This motion will be based upon this notice, the declaration of Timothy P. Johnson served and filed herewith, the memorandum of points and authorities in support thereof, on the pleadings, records, and files herein, and upon any oral or documentary evidence that may be presented at the hearing of this motion.

Dated: September 8, 2008

## LAW OFFICES OF TIMOTHY P. JOHNSON

Tpj:cww/Williams/pleadings/007

By: /S/ Timothy P. Johnson  
TIMOTHY P. JOHNSON  
Attorneys for Defendant PINNACLE CREDIT  
SERVICES, LLC

**PROOF OF SERVICE BY MAIL**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 17821 E. 17<sup>th</sup> Street, Suite 290, Tustin, California 92780.

On September 12, 2008, I served the foregoing document described as **NOTICE OF MOTION AND MOTION TO COMPEL FURTHER RESPONSES BY PLAINTIFF TO DISCOVERY PROPOUNDED BY PINNACLE; DECLARATION OF TIMOTHY P. JOHNSON; SEPARATE STATEMENT REGARDING DISPUTED DISCOVERY RESPONSES** on all interested parties in this action by:

placing \_\_\_\_\_ the original  a true copy thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

**BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U. S. Postal Service on the same day with postage thereon fully prepaid at Tustin, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

**BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the offices of the addressee.

BY FACSIMILE TRANSMISSION: From Fax No. (714) 832-1179 to the facsimile numbers listed on the attached mailing list. The facsimile machine I used complied with Rule 2003(3), and no error was reported by the machine.

BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

**EXECUTED** on September 12, 2008 at Tustin, California.

/S/ Carol w. Wiese  
CAROL W. WIESE

*Williams v. Trans Union, et al.*  
USDC, Case No. C-07-5956 CRB

## **MAILING LIST**

James Z. Margolis, Esq. (Bar No. 52613)  
405 14<sup>th</sup> Street, Suite 1010  
Oakland, CA 94612  
(510) 834-8311 Fax: (510) 834-8370  
Email: [jzmarg@aol.com](mailto:jzmarg@aol.com)  
*Attorney for Plaintiff Michael Williams*

Tomio B. Narita, Esq.  
Jeffrey A. Topor, Esq.  
Robin M. Bowen, Esq.  
**SIMMONDS & NARITA, LLP**  
44 Montgomery Street, Suite 3010  
San Francisco, CA 94104-4816  
(415) 283-1000 FAX: (415) 352-2625  
Email: [tnarita@snllp.com](mailto:tnarita@snllp.com); [jtopor@snllp.com](mailto:jtopor@snllp.com)  
*Attorneys for Defendant ASSET ACCEPTANCE,  
INC.*

David L. Wallach, Esq. (Bar No. 233432)  
JONES DAY  
555 California Street  
San Francisco, CA 94105  
(415) 626-3939 FAX: (415) 875-5700  
Email: [dwallach@jonesday.com](mailto:dwallach@jonesday.com)  
*Attorneys for Defendant EXPERT  
INFORMATION SOLUTIONS, INC.*

Thomas P. Quinn, Esq.  
NOKES & QUINN  
450 Ocean Avenue  
Laguna Beach, CA 92651  
(949) 365-3055 FAX: (949) 376-3070  
Email: tquinn@nokesquinn.com  
*Attorneys for EQUIFAX INFORMATION  
SERVICES, LLC*

Cara Hergenroether, Esq.  
KING & SPALDING  
1180 Peachtree Street, NE  
Atlanta, GA 30309-3521  
Tel: (404) 215-5796  
Fax: (404) 572-5100  
Email: chergenroether@KSLAW.com  
*Attorneys for EQUIFAX INFORMATION  
SERVICES, LLC*